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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

**Docket Number (Optional)**  
**AUS990846US1**

In re Application of: Michael Wayne Brown, et al.

Application No.: 09/466,000

Filed: December 17, 1999

For: Method, System and Program for Specifying an Electronic Menu on a Data Processing System

The owner\*, IBM CORPORATION of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,646,659. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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